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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**

10 SIERRA CLUB, INC.; SURFRIDER
11 FOUNDATION, INC.; HEAL THE BAY,
INC.; and BAYKEEPER, INC.; each a
12 California Nonprofit,

13 Plaintiffs,

14 v.

15 EXXONMOBIL CORPORATION, a New
Jersey Corporation, and DOES 1-10,

16 Defendants.
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Case No. 3:24-cv-07288-RS

**STIPULATION TO EXTEND TIME AND
SET BRIEFING SCHEDULE PURSUANT
TO LOCAL CIVIL RULE 6-1 AND
[PROPOSED] ORDER**

Action Filed: September 23, 2024

1 The following stipulation is entered between Plaintiffs Sierra Club, Inc.; Surfrider
2 Foundation, Inc.; Heal The Bay, Inc.; and Baykeeper, Inc. (“Plaintiffs”), and Defendant Exxon
3 Mobil Corporation (“ExxonMobil”), by and through their respective counsel, with reference to
4 the following facts:

5 **RECITALS**

6 WHEREAS, on March 27, 2025, ExxonMobil moved to dismiss the Complaint pursuant
7 to Rules 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure (“FRCP”), and moved to
8 strike the Complaint pursuant to California Code of Civil Procedure § 425.16;

9 WHEREAS, on September 5, 2025, the Court granted in part and denied in part
10 ExxonMobil’s motion to dismiss and denied ExxonMobil’s motion to strike;

11 WHEREAS, on October 3, 2025, Plaintiffs filed an Amended Complaint (“FAC”);

12 WHEREAS, Civil Local Rule 6-1 provides that “[p]arties may stipulate in writing,
13 without a Court order, to extend the time within which to answer or otherwise respond to the
14 complaint, or to enlarge or shorten the time in matters not required to be filed or lodged with the
15 Court, provided the change will not alter the date of any event or any deadline already fixed by
16 Court order”;

17 WHEREAS, the parties have agreed that the deadline for ExxonMobil to respond to the
18 FAC, including by a motion filed pursuant to FRCP 12, shall be extended until November 4,
19 2025, which will not alter the date of any event or deadline already fixed by Court order;

20 WHEREAS, the parties have met and conferred, and have also agreed on a reasonable and
21 orderly briefing schedule for any motion(s), including pursuant to FRCP 12, responding to the
22 FAC;

23 WHEREAS, the parties agree that this stipulation does not waive any right to agree to or
24 request further extensions, or to seek any other relief from the Court.

25 **STIPULATION**

26 NOW, THEREFORE, the parties hereby agree and stipulate as follows:

27 1. ExxonMobil shall file its Motion to Dismiss, Answer, or otherwise respond to the
28 FAC on November 4, 2025.

2. Plaintiffs shall file their Opposition to any motion on or before December 2, 2025.

3. ExxonMobil shall file its Reply in support of any motion on or before December 19, 2025.

4. Pursuant to Rule 6-1 of this Court's Civil Local Rules and even in the absence of Court approval, this Stipulation shall serve to extend ExxonMobil's deadline to file a Motion to Dismiss or otherwise respond to the FAC until November 4, 2025, and upon Court approval of this Stipulation, the briefing schedule shall be as set forth above.

Dated: October 15, 2025

Respectfully submitted,

/s/ Dawn Sestito

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Attorneys for Defendant

Dated: October 15, 2025

Respectfully submitted,

/s/ Grace Y. Park

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Attorneys for Plaintiffs

** Pursuant to Civ. L.R. 5-1(i)(3), the electronic signatory has obtained approval from this signatory

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[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

Hon. Richard Seeborg
United States District Judge